

ESTTA Tracking number: **ESTTA100002**

Filing date: **09/19/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Facey Commodity Company Ltd.		
Entity	Corporation	Citizenship	JAMAICA
Address	53 Newport Blvd. Kingston, 13 JAMAICA		
Attorney information	Clemens W. Pauly Langstadt Pauly Chartered 815 Ponce de Leon Blvd. Suite P-201 Coral Gables, FL 33134 UNITED STATES pauly@langstadtpauly.com Phone:305-648-3909		

Registration Subject to Cancellation

Registration No	2663677	Registration date	12/17/2002
Registrant	Edutropolis, Inc. c/o THE LAW OFFICE OF STUART KAUFMAN 201 FILBERT ST., SUITE 401 SAN FRANCISCO, CA 94133 UNITED STATES		
Goods/Services Subject to Cancellation	Class 038. First Use: 2000/03/01 , First Use In Commerce: 2000/03/01 Goods/Services: electronic mail (e-mail) services		
Related Proceedings	Trademark Applications filed and pending under Serial Numbers 78/728114 and 78/727770		
Attachments	Statement of grounds of cancellation.pdf (6 pages)(264834 bytes)		
Signature	/clemens w. pauly/		
Name	Clemens W. Pauly		
Date	09/19/2006		

1. The Petitioner believes that it will be damaged by U.S. Registration No. 2663677 for the word mark "Mangomail," and hereby petitions to cancel the same.
2. The Petitioner has standing because it has filed two trademark applications which are currently pending under Serial Numbers 78/728114 and 78/727770.
3. On April 11, 2006, Petitioner has been refused registration of its marks because of Defendant's registration.
4. The Trademark Office alleges that the Petitioner's mark would likely lead to confusion with Registration No. 2663677.
5. The grounds upon which this Petition for Cancellation is based is that Defendant's mark has been abandoned due to nonuse.
6. The owner of the registration for the word mark „Mangomail" is a California corporation by the name of Edutropolis, Inc.
7. According to information obtained from the California Secretary of State, Edutropolis, Inc. has "lost all rights and powers for failure to meet the California statutory filing requirements." See Exhibit "A."
8. A search under the domain www.mangomail.com reveals that this site is no longer in use or supported. See Exhibit "B."
9. A Google search under "Mangomail" reveals no active business associated with the use of the registered mark.
10. Therefore, it appears that the Defendant has abandoned the use of the registered mark.
11. The Petitioner is damaged by the registration in that the trademark applications will be refused unless the Defendant's registration is cancelled.

WHEEFORE, Petitioner asks this Board to cancel in whole the registration of
Registration No. 2663677.

California Business Portal

Secretary of State BRUCE McPHERSON

DISCLAIMER: The information displayed here is current as of SEP 01, 2006 and is updated weekly. It is not a complete or certified record of the Corporation.

Corporation		
EDUTROPOLIS, INC.		
Number: C2155603	Date Filed: 3/2/1999	Status: suspended
Jurisdiction: California		
Address		
523 MISSISSIPPI STREET		
SAN FRANCISCO, CA 94107		
Agent for Service of Process		
DOUGLAS J MONSOUR		
523 MISSISSIPPI STREET		
SAN FRANCISCO, CA 94107		

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.

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Secretary of State BRUCE McPHERSON

SECRETARY OF STATE

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California Business Search - Corporations Field and Status Definitions

FIELD DEFINITIONS

- **Number:** The identification number assigned by the Secretary of State's office at the time of filing.
- **Date Filed:** The date of incorporation of a California corporation, the date of qualification of a foreign (out-of-state or out-of-country) corporation doing business in California, or the date of conversion to a California corporation.
- **Status:** See explanation below.
- **Jurisdiction:** The state or country under which laws the business entity was organized.
- **Address:** The last mailing address reported to this office by the corporation.
- **Agent for Service of Process:** An individual or a corporation that has been designated to receive the service of process (normally, a summons and complaint) if it is sued by another party.

STATUS DEFINITIONS

If the status is:

- **Active:** California Corporation: Subject to any licensing requirements otherwise imposed by the laws of this state, the California corporation is authorized to exercise all of its powers, rights and privileges in the State of California.

Foreign Corporation: Subject to any licensing requirements otherwise imposed by the laws of this state, the foreign corporation is qualified to transact intrastate business in the State of California.
- **Suspended:** The California corporation has lost all rights and powers for failure to meet statutory filing requirements of either the Secretary of State's office or the Franchise Tax Board. Information regarding the type of suspension can be obtained by requesting a status report. Fees and instructions for requesting a status report are included on the **Business Entities Records Order Form**.
- **Forfeited:** The foreign corporation has lost all corporate rights and

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powers for failure to meet statutory filing requirements in either the Secretary of State's office or the Franchise Tax Board. Information regarding the type of forfeiture can be obtained by requesting a status report. Fees and instructions for requesting a status report are included on the **Business Entities Records Order Form**.

- **Conditionally Dissolved:** The California corporation has voluntarily elected to wind up the business operations and is completely dissolved, except that it has not received a tax clearance from the Franchise Tax Board.
- **Dissolved:** The California corporation has voluntarily elected to wind up its operations, has completely dissolved its business as a corporation, and has received a tax clearance from the Franchise Tax Board.
- **Surrender:** The foreign corporation has voluntarily surrendered its right to transact business in the State of California.
- **Merged Out:** The corporation has merged out of existence into another business entity. The name of the surviving entity can be obtained by requesting a status report. Fees and instructions for requesting a status report are included on the **Business Entities Records Order Form**.
- **Converted-Out:** The corporation has converted to a Limited Liability Company, Limited Partnership, or General Partnership. The name of the new entity can be obtained by requesting a status report. Fees and instructions for requesting a status report are included on the **Business Entities Records Order Form**.
- **Term Expired:** The California corporation's term of existence has expired.
- **Canceled:** The incorporation or qualification was canceled because the filing fees were not honored by a bank because of insufficient funds.
- **Inactive:** There is more than one reason for this status. The specific reason for this status can be obtained by requesting a status report. Fees and instructions for requesting a status report are included on the **Business Entities Records Order Form**.

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We can't find "www.mangomail.com"

You can try again by typing the URL in the address bar above.

Or, search the Web:

Search

Popular Searches

Go to [MSN Search](#) to see complete results for "www.mangomail.com".

Did you intend to go to one of these similar Web addresses?

- [www.mundomail.net](#)

[Check availability or register the domain name 'www.mangomail.com'.](#)

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